

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
MONIQUE KIRTLEY  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax

6 Attorney for  
Linda Livolsi

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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

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11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13  
14 v.  
15 LINDA LIVOLSI,  
16 Defendant.

Case No. 2:10-cr-00578-APG-GWF

**EMERGENCY MOTION TO EXTEND**  
**SELF SURRENDER DATE**

(Expedited Treatment Requested)

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18 COMES NOW Rene L. Valladares, Federal Public Defender, and Monique  
19 Kirtley, Assistant Federal Public Defender, counsel for LINDA LIVOLSI, files this Motion to  
20 Extend Ms. Livolsi's self-surrender date for sixty days for the following reasons:

21 1. On August 11, 2014, Ms. Livolsi pleaded guilty to one count of Wire Fraud  
22 (count two), in violation of 18 U.S.C. § 1343 and one count of False and Fraudulent Tax Return  
23 (count four), in violation of 26 U.S.C. § 7206(1). She was sentenced on April 28, 2015, to forty-  
24 five months for the wire fraud violation and thirty-six months for the fraudulent tax return  
25 violation, each to run concurrent, and three (3) years of supervised release to follow. This Court  
26 ordered Ms. Livolsi to self-surrender by noon on July 24, 2015. CR #205.

1           2.       On July 21, 2015, undersigned counsel filed an Emergency Motion to Extend  
2 Ms. Livolsi's Self Surrender date. CR #213. On July 22, 2015, the Court granted Ms. Livolsi's  
3 motion and extended her self-surrender date to August 21, 2015. CR#214.

4           3.       On August 12, 2015, undersigned counsel filed a second emergency motion,  
5 along with an addendum, to extend Ms. Livolsi's self-surrender date. CR #217, CR#218. On  
6 August 18, 2015, the Court granted Ms. Livolsi's motion and extended her self-surrender date  
7 to October 30, 2015. CR#219.

8           4.       Ms. Livolsi now seeks a third extension of her self-surrender date. On October  
9 20, 2015, undersigned counsel received an email from Ms. Livolsi regarding her current family  
10 situation. Ms. Livolsi has informed undersigned counsel that the family was court ordered to  
11 vacate the family home by October 9, 2015. Ms. Livolsi's family was able to obtain housing,  
12 in a different city, in Oklahoma, on October 7, 2015. Ms. Livolsi's family is still in the process  
13 of unpacking and selling sentimental personal belongings to obtain money to pay for rent and  
14 everyday expenses. Currently, Mr. Livolsi is unemployed but is actively seeking permanent  
15 employment. Mr. Livolsi is hopeful that his efforts in finding permanent employment will  
16 come to fruition within the next sixty days. If Ms. Livolsi is allowed to extend her self-surrender  
17 date by sixty days, it will allow her to continue to take care of her children and maintain the  
18 household while Mr. Livolsi is out seeking employment. This would be one less burden to  
19 befall Mr. Livolsi while Ms. Livolsi is serving her term of incarceration.

20           Additionally, a sixty day extension will allow Ms. Livolsi to continue to organize and  
21 stabilize her household. Ms. Livolsi's children will be attending a new school, after the fall  
22 break, and Ms. Livolsi would like to remain with her children until they have become more  
23 secure at school and in their new surroundings.

24           5.       The government opposes Ms. Livolsi's request to extend her self-surrender date.

25           6.       Ms. Livolsi specifically requests a sixty day extension of her self-surrender date.

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1                   7.       This is the third request to extend the self-surrender date.  
2       Respectfully submitted, this 21st of October, 2015.

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4                                   RENE L. VALLADARES  
5                                   Federal Public Defender

6                                   By: /s/Monique Kirtley

7                                   MONIQUE KIRTLEY  
8                                   Assistant Federal Public Defender  
9                                   Attorney for LINDA LIVOLSI  
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**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 21, 2015, she served an electronic copy of the above and foregoing **EMERGENCY MOTION TO EXTEND SELF SURRENDER DATE** (Expedited Treatment Requested) by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN  
United States Attorney  
J. GREGORY DAMM  
Assistant United States Attorney  
333 Las Vegas Blvd. So. 5th Floor  
Las Vegas, NV 89101

/s/Nancy Vasquez, Legal Assistant  
Employee of the Federal Public Defender